IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

TUESDAY, THE 4TH SEPTEMBER 2007 / 13TH BHADRA 1929

WP(C).No. 21504 of 2004(I)

PETITIONER:

Y.NATARAJAN, SECRETARY,
C.P.I.DEVIKOLAM MANDALAM COMMITTEE, MUNNAR.

BY ADV. SRI.P.RAMAKRISHNAN
SMT.A.K.PREETHA

RESPONDENTS:

----

1. **THE ELECTION COMMISSION OF INDIA,**
   NIRVACHAN SADAN, ASOKA ROAD, NEW DELHI,
   REPRESENTED BY ITS SECRETARY,NIRVACHAN SADAN
   ASOKA ROAD, NEW DELHI.

2. **THE DISTRICT COLLECTOR**
   DISTRICT ELECTRICAL REGISTRATION OFFICER,
   IDUKKI.

BY ADV. SRI.MURALI PURUSHOTHAMAN, SC,ELE.COMMN. For R2

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 04/09/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WPC.NO.21504/2004 I

APEPNDIX

PETITIONER'S EXHIBITS:

EXT.P1: **COPY OF JUDGMENT DTD. 26/03/2001 OF THIS HONOURABLE COURT IN O.P.10317/2001.**

EXT.P2: **COPY OF LETTER DTD. 19/04/2001 FROM THE SECRETARY, CPI DEVIKULAM MANDALAM COMMITTEE TO THE 2ND RESPONDENT.**

EXT.P3: **COPY OF REPRESENTATION DTD. 17/06/04 SUBMITTED BY THE PETITIONER BEFORE THE 2ND RESPONDENT.**

RESPONDENT'S ANNEXURES:

ANNEXURE-A: **COPY OF THE PROPOSAL FOR MODIFICATION OF POLLING STATION SUBMITTED BY THE 2ND RESPONDENT TO THE 1ST RESPONDENT THROUGH THE CHIEF ELECTORAL OFFICER NO.E4.7197/2001 DTD. 25/03/2001.**

ANNEXURE-B: **COPY OF THE MINUTES NO.E4-9923/2003 DTD. 29/07/2003 OF THE MEETING ON RATIONALISATION OF POLLING STATIONS.**

/TRUE COPY/

P.A.TO JUDGE

KSS

ANTONY DOMINIC,J.

W.P (C) No. 21504 of 2004

Dated this the 4th day of September, 2007

J U D G M E N T

The petitioner claims to be a political activist. According to him in the matter of allocation of polling booths in Munnar - Devikulam area, there were irregularities, as a result of which, considerable difficulties have been caused to the voters. It is submitted that this has lead to poor turn out of voters and therefore remedial action should be taken by the 1st respondent. From the statement filed on behalf of the 2nd respondent it is seen that on 29.7.2003 a meeting was held and from the minutes it is evident that proposal for modification was to be considered. The contention of the petitioner is even thereafter the grievance continues as the situation has not been remedied satisfactorily.

2. Even according to the Counsel for the petitioner the appropriate authority for remedying the situation is the 1st respondent. However, the petitioner did not make any representation to the 1st respondent.

In the aforesaid circumstances, I dispose of this writ petition holding that in the event of petitioner makes a representation highlighting his grievances regarding the allocation of polling booths in the Devikulam Legislative Assembly Constituency, it is for the 1st respondent to examine the same.

The writ petition is disposed of as above.

(ANTONY DOMINIC, JUDGE)

ma

K.THANKAPPAN,J

CRL.A. NO.92 OF 1999

ORDER

25th May, 2007